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Attorneys for Defendant InterDent Service
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U.S. DISTRICT COURT _____
U.S. BANKRUPTCY COURT _____
DISTRICT OF IDAHO _____

FEB 23 2004

_____ M. REC'D _____
LODGED _____ FILED _____

UNITED STATES DISTRICT COURT
DISTRICT OF IDAHO

POCATELLO DENTAL GROUP, P.C., an
Idaho professional corporation,

Plaintiff,

v.

INTERDENT SERVICE
CORPORATION, a Washington
corporation,

Defendant.

INTERDENT SERVICE
CORPORATION, a Washington
corporation,

Counterclaimant,

v.

Case No.: CV-03-450-E-LMB

DEFENDANT AND
COUNTERCLAIMANT ISC'S MOTION
FOR SUMMARY JUDGMENT AGAINST
PLAINTIFF'S CLAIMS

DEFENDANT AND COUNTERCLAIMANT ISC'S MOTION FOR SUMMARY
JUDGMENT AGAINST PLAINTIFF'S CLAIMS- Page 1

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POCATELLO DENTAL Group, P.C., an
Idaho professional corporation; DWIGHT
G. ROMRIELL, individually; LARRY
MISNER, JR., individually; PORTER
SUTTON, individually; ERNEST
SUTTON, individually; GREGORY
ROMRIELL, individually; ERROL
ORMOND, individually; and ARNOLD
GOODLIFFE, individually,

Counterdefendants.

LARRY R. MISNER, JR., individually,

Counterclaimant,

v.

INTERDENT SERVICE
CORPORATION, a Washington
corporation,

Counterdefendant.

LARRY R. MISNER, JR., individually,

Crossclaimant,

v.

POCATELLO DENTAL GROUP, P.C., an
Idaho professional corporation,

Crossdefendant.

Defendant InterDent Service Corporation ("ISC"), pursuant to Federal Rule of Civil
Procedure 56, moves this Court for an Order Granting Summary Judgment in its favor against
plaintiff's claims on the basis that plaintiff's claims relating to the hiring of third-party defendant
Dwight Romriell are now moot and the remainder of plaintiff's claims are barred by earlier
bankruptcy court proceedings involving the parties in *In re InterDent Services Corporation*, U.S.

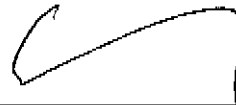
DEFENDANT AND COUNTERCLAIMANT ISC'S MOTION FOR SUMMARY
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Bankruptcy Court for the Central District of California Case No. 03-13494. Consequently, ISC is entitled to judgment as a matter of law.

This motion is supported by the accompanying ISC's Memorandum of Points and Authorities In Support of Its Motion for Summary Judgment Against Plaintiff's Claims, the Affidavit of Scott J. Kaplan In Support of Defendant and Counterclaimant ISC's Motion for Summary Judgment Against Plaintiff's Claims, the complete files and records in this action, and on such oral and documentary evidence as may be presented at a hearing on this motion.

DATED this 27 day of February, 2004.



By: Scott J. Kaplan, Pro Hac Vice

STOEL RIVES LLP
Attorney for Defendant
Interdent Service Corporation

CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing **DEFENDANT AND COUNTERCLAIMANT ISC'S MOTION FOR SUMMARY JUDGMENT AGAINST PLAINTIFF'S CLAIMS** the following named person(s) on the date indicated below by

- ☒ mailing with postage prepaid
- ☐ hand delivery
- ☐ facsimile transmission
- ☐ overnight delivery

to said person(s) a true copy thereof, contained in a sealed envelope, addressed to said person(s) at his or her last-known address(es) indicated below.

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